

**IN THE DISTRICT COURT OF THE UNITED STATES FOR THE
MIDDLE DISTRICT OF ALABAMA EASTERN DIVISION**

REGIONS BANK, a)
state banking association,)

Plaintiff and Counter Claim)
Defendant as to Parcel 1)

CHARLENE RYLES, Administrator)
of the Estate of Charlie G. Ryles and)
CHARLENE RYLES, INDIVIDUALLY)
Cross Claim Plaintiff,)

CIVIL ACTION NO. 2:05 cv 1003-MHT

V.)

THE ESTATE OF CHARLES G.)
RYLES; CHECK CARE SYSTEMS;)
ANDREANA PHIPHER)
BLENDA RYLES; CHARLENE)
RYLES; CHRISTOPHER RYLES;)
DOROTHY D. RYLES; GREGORY D.)
RYLES; KERONICA RYLES;)
KIMBERLY RYLES & SANDRA)
RYLES, UNITED STATES OF)
AMERICA/IRS)
Defendants; Counter Claim)
Defendants; and Cross Claim)
Defendants.)

REVISED ORDER OF DISTRIBUTION OF SALES PROCEEDS

This cause coming on to be heard on the report of reference heretofore filed by Debra Hackett, Clerk of the District Court of the United States for the Middle District of Alabama, as requested by this court, and no objection or exception having been filed to the report of reference by any parties, the Court having entered an Order confirming said sell, it now appears to the court that the proceeds of the sale should be distributed. Therefore,

IT IS HEREBY ORDERED, ADJUDGED AND DECREED as follows:

1. It appears to the court from the uncontested pleadings in the case that Charlie G. Ryles was owner of this property when he died intestate on or about September 28, 2003. Charlie G. Ryles had nine children: Charlene Ryles, Gregory D. Ryles, Blenda Ryles, Keronica Ryles, Kimberly Ryles, Christopher Ryles, Dorothy Ryles, Sandra Ryles and Andreana Ryles Phipper. All nine children survived their father and are all Defendants in this action. Charlene Ryles opened an Estate Administration on her father's estate and in an effort to preserve the estate, filed a Counter Claim for a Sale for Division in her capacity as Administratrix of the Estate of Charlie G. Ryles in response to Regions Bank filing a Complaint to have its mortgage reinstated on parcel 1 of the Counter Claim better known as the Troy, Al Property.

2. The Clerk shall reimburse James N. Thomas, \$1,289.75 for prepaid costs and expenses as follows: Troy messenger 1st advertisement \$322.75 Circuit Court; Troy Messenger 2nd advertisement \$357.00; and Filing Fee paid to Circuit Court Clerk of Pike County \$610.00; together with a reasonable attorney's fee in the amount of \$4,200.00, for a total payment of \$5,489.75.

3. The Court finds that the Clerk is to payoff the mortgage on parcel 1 to Regions Bank in the amount of \$18,055.29 and attorney fees to Counsel of Regions Bank in the amount of \$1,712.00. The clerk is directed to make said payment to Johnstone, Adams, Bailey Gordon and Harris, LLC in the total amount of \$19,767.29 and forward such sum directly to: Alan C. Christian, Esq. PO Box 1988; Mobile, Al 36633. Upon receipt of these funds Regions Bank shall release its reinstated mortgage on parcel one.

4. The Court finds the unpaid property tax, which is a lien on both parcels, must be

paid in the amount of \$416.00 for parcel number 10-08-28-2-001-025 and \$119.27 for parcel number 18-09-29-0-000-006 to the Pike County Revenue Commissioner at 120 W. Church Street, Troy, Al 36081.

5. The Court finds that the Clerk of the Court is to pay to the United States of America the sum of \$1,186.26 representing the 1/9th share of Gregory D. Ryles in payment of the Internal Revenue Service lien owed by Gregory D. Ryles.

6. The Court finds that the balance of the Sale proceeds in the amount of \$15,021.43 is to be paid to Charlene Ryles as Administratrix of the Estate of Charlie Ryles. Charlene Ryles in her capacity as Administratrix is charged with and Ordered to pay all valid claims filed against said estate in the amount of \$5,531.32 so as to provide good and marketable title to the property of the purchasers and clear the Estate of all liabilities pending against it. Charlene Ryles is directed to pay the balance of \$9,490.11 in equal shares to each heir, with the exception of the share of Gregory Ryles, which is to be withheld and paid over to the United States.

7. All other matters are hereby reserved.

Done this ____ day of _____, 2006.

MYRON H. THOMPSON
U.S. DISTRICT JUDGE